

REMARKS

Claims 1 and 13-32 are pending. Support for the amendment to claim 1 can be found at page 4, lines 43-44 of the specification.

Claims 1, 13-17, 21-26 and 28-32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Brant et al. (WO 93/12151) and Holtcamp et al. (U.S. 6,476,166 B1). Applicants respectfully traverse this rejection.

Holtcamp et al. does not teach how to prepare copolymers with a high molecular weight, a high comonomer content and a high CDBI. In amended claim 1, the comonomer content is such, that it is clearly above the values of examples 21 and 22 of Holtcamp et al. Furthermore, Holtcamp et al. gives no suggestion or motivation to modify the process, if at all, to obtain the inventive polymers with the specific combination of properties of the invention.

Brant et al. does not teach copolymers with lower α -olefins as a comonomer, since the copolymers disclosed therein are restricted to copolymers of ethylene with α -olefins with 10 to 100 carbon atoms. Brant et al. gives no indication that the copolymers of the present invention with shorter α -olefins can be prepared. In support thereof, applicant enclose an excerpt from EP-A2-416815, which uses the same type of catalysts for the copolymerization of ethylene and 1-octene or 1-hexene. On page 20, examples 11 to 32, a similar catalyst is used for the copolymerization of ethylene and 1-octene. Even without hydrogen, the molecular weights of the copolymers are very low. Most M_n s are in the region of 10,000 to 40,000. Therefore, Brant et al. would not have

MIHAN et al., Ser. No. 10/069,438

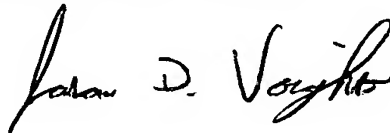
taught a person skilled in the art how to prepare copolymers with such lower α -olefins having a high molecular weight, a high comonomer content and a high CDBI.

Applicants enclose a check for \$430 to cover a two-month extension fee.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read "Jason D. Voight". The signature is fluid and cursive, with the first name "Jason" and last name "Voight" clearly distinguishable.

Jason D. Voight
Reg. No. 42,205

1350 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 659-0100